

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. 04-10047-RCL
)	
v.)	VIOLATIONS:
)	
LUIS RODRIGUEZ,)	21 U.S.C. § 841(a)--
A/K/A "ONE EYED LUIS")	Distribution Of Cocaine
)	Base
)	
)	21 U.S.C. § 853--
)	Criminal Forfeiture
)	Allegation
)	

SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 841(a)(1)--Distribution Of Cocaine Base)

The Grand Jury charges that:

On or about December 29, 2003, at Lawrence, in the District of Massachusetts,

LUIS RODRIGUEZ, A/K/A "ONE EYED LUIS",
the defendant herein, did knowingly and intentionally possess with intent to distribute, and distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

1. At the time he committed the offenses charged in this Superseding Indictment, defendant LUIS RODRIGUEZ was at least eighteen years old and had two or more prior felony convictions of either a crime of violence or a controlled substance offense. Accordingly, U.S.S.G. §§ 4B1.1 & 4B1.2 apply to defendant LUIS RODRIGUEZ.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offense alleged in Count 1 of this Indictment,

LUIS RODRIGUEZ, A/K/A "ONE EYED LUIS",

the defendant herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

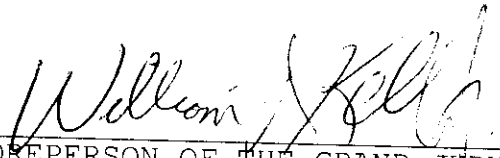
2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants --


- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section
853.

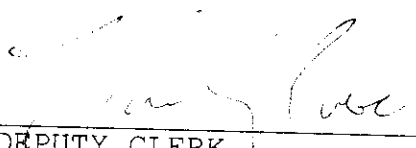
A TRUE BILL


FOREPERSON OF THE GRAND JURY


JOHN A. WORTMANN, JR.
PETER K. LEVITT
ASSISTANT U.S. ATTORNEYS

DISTRICT OF MASSACHUSETTS; Oct. 14, 2004.

Returned into the District Court by the Grand Jurors and
filed.


DEPUTY CLERK

10/14/04
12:31 PM

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Lawrence Category No. II Investigating Agency FBI

City Lawrence

Related Case Information:

County Essex

Superseding Ind./ Inf. X Case No. 04-10047-RCL
Same Defendant X New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name LUIS RODRIGUEZ Juvenile: ☐ Yes ☒ No

Alias Name ONE-EYED LUIS

Address 96 PROSPECT ST LAWRENCE, MA

Birthdate: 1972 SS # 000 00 0036 Sex: MALE Race: Hispanic Nationalit US

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:

AUSA Peter K. Levitt; John A. Wortmann, Jr. Bar Number if applicable 565761 AND 534860

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: Yes ☒ No

Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date _____

Already in Federal Custody as of 2/20/04 _____ in _____

☐ Already in State Custody at _____ ☐ Serving Sentence ☒ Awaiting Trial

☐ On Pretrial Release: Ordered by: _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 10/14/04 Signature of AUSA: [Signature]

District Court Case Number (To be filled in by deputy clerk): _____**Name of Defendant** LUIS RODRIGUEZ AKA ONE-EYED LUIS**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 841</u>	<u>DISTRIBUTION OF COCAINE BASE</u>	<u>1</u>
Set 2	_____	_____	<u>2</u>
	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____